

My name is Ben Downs, the Vice President and General Manager of Bryan Broadcasting Corporation. Bryan Broadcasting is the licensee of WTAW, KZNE, KWBC, and KAGC, all AM stations, all located in Bryan-College Station, Texas.

As many other AM broadcasters have noted, there is much to be gained by allowing AM stations to retransmit their programming via FM translators. In my specific case there is also a great deal for the public to gain if this rule is adopted.

Two of my stations are allowed to broadcast at night and during pre-sunrise hours. KAGC is a daytime only station and there can be no minimizing the competitive disadvantage the station has in not being able to broadcast for the entire morning and evening drive times.

As a long-time broadcaster, I've come to observe that the daytime events in our towns are oriented toward ribbon cuttings and press conferences, while evening hours are events that involve families and fundraisers. Generally, our local sporting events take place in the evening, after school and work. I am unable to cover these events as I would like. With 24-hour operation on an FM translator (or even 16 hour operation), KAGC would be able to broadcast our local high school events and political forums as we do on our other AM stations.

One of our stations broadcasts with 25 watts of power at night. Though I do broadcast the local football and basketball games, my listeners must struggle mightily to hear these broadcasts. While 25 watts would appear to propagate nicely at night, the increase in noise on the AM band renders these broadcasts almost inaudible.

The growth of CFL lighting and many other household noise generators have damaged low power AM radio so as to be almost unusable. A return to the archetypical fireside chat with all the CFLs, dimmers, and fluorescent lighting turned off would help solve this problem, but more realistically, so would the opportunity to broadcast via the impulse noise resistant FM band.

I would also propose the FCC allow current AM Licensees to be granted a short, one-week filing window to be used to reinstate expired translator CPs that are used strictly to rebroadcast a licensed AM station or AM daytime station.

In my market, there are three licensed FM translators. One is on the air, one is dark with notice to the FCC, and one is simply not broadcasting. None of these licensees is willing to sell their translator to our company. One is happy retransmitting their

Houston station, one plans retransmission of their religious station outside of the market, and one translator was available only as part of a package of other stations for over half a million dollars.

According to my research, in our market there were three construction permits for translators that expired, unbuilt, within the past year. Given that these translators were technically feasible, and given the current backlog of pending translator applications, it would make sense to allow AM broadcasters to prove these frequencies are still available and file for their reinstatement.

Limiting the first filing window to licensees of daytime stations would reduce most cases of mutually exclusive filings and allocate these translator frequencies to the AM stations that could provide the greatest improvement in coverage to their communities.

In my market, unless some mechanism exists to reinstate expired construction permits and allow AM licensees to file for them, there appears to be no way any AM station can take timely advantage of the AM on FM proposal. A short duration filing window to reinstate expired CPs for the use of AM daytimers would be such a mechanism.